

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

U.S. COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

-against-

ERIC MONCADA,  
BES CAPITAL LLC, and  
SERDIKA LLC,

Defendants.

ECF Case

Civil Action No. 12 CV 8791 (CM)

NOTICE OF MOTION

MEMO ENDORSED

Upon the annexed Affirmation of Richard M. Asche, dated January 9, 2014, and all prior pleadings herein, the defendant Eric Moncada, on consent of the plaintiff U.S. Commodity Futures Trading Commission, moves this Court for an order extending the deadline for filing the Joint Pre-Trial Order and dispositive motions from January 15, 2014 to January 29, 2014.

Dated: New York, New York  
January 9, 2014

Litman, Asche & Gioiella, LLP  
Attorneys for Defendant Eric Moncada

By: /s/ Richard M. Asche  
Richard M. Asche (RMA7081)

140 Broadway – 38<sup>th</sup> Floor  
New York, New York 10005  
(212) 809-4500